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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION**

WILLIE BUSH,  
Plaintiff,  
v.

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,  
Defendant.

Civil No. 1:22-cv-00718-ADA-GSA

**STIPULATION AND ORDER TO EXTEND  
BRIEFING SCHEDULE**

The parties stipulate through counsel that Defendant, the Acting Commissioner of Social Security (the "Commissioner"), shall have an extension of 14 days to respond to Plaintiff's Opening Brief in this case. In support of this request, the Commissioner respectfully states as follows:

1. The Commissioner's response to Plaintiff's Opening Brief is due February 9, 2023. This is Defendant's second request for an extension of this deadline.

2. Counsel for the Commissioner has referred this matter to his client for potential settlement authority. Counsel for the Commissioner is informed that a brief additional extension is necessary for his client to fully consider the issues raised in Plaintiff's brief. Counsel for the Commissioner believes

1 that this short extension may resolve this matter without necessitating this Court to address the merits of  
2 this matter. Moreover, this brief extension would conserve judicial time and resources should the Parties  
3 be able to resolve this matter.

4 3. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that he  
5 has no objections.

6 4. This request is made in good faith and is not intended to unnecessarily delay the  
7 proceedings in this matter.

8 WHEREFORE, Defendant requests until February 23, 2022, respond to Plaintiff's Opening Brief.

9  
10 Date: February 8, 2023

PEÑA & BROMBERG, PLC

11 By: /s/ Caspar Chan for Jonathan Pena\*

12 JONATHAN PENA

13 \*Authorized by email on February 8, 2023

Attorneys for Plaintiff

14 Date: February 8, 2023

PHILIP A. TALBERT

15 United States Attorney

16 Eastern District of California

17 By: /s/ Caspar Chan

CASPAR CHAN

18 Special Assistant United States Attorney

19 Attorneys for Defendant

20  
21 ORDER

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23 IT IS SO ORDERED.

24 Dated: February 8, 2023

/s/ Gary S. Austin

25 UNITED STATES MAGISTRATE JUDGE  
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